

Call No. 337, Ordering the Previous Question on H. Res. 951; and NAY on Roll Call No. 338, on H. Res. 951.

#### KAYLA HAMILTON ACT

Mr. FRY. Mr. Speaker, pursuant to House Resolution 951, I call up the bill (H.R. 4371) to amend the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 to enhance efforts to combat the trafficking of children, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. TAYLOR). Pursuant to House Resolution 951, the amendment in the nature of a substitute recommended by the Committee on the Judiciary, printed in the bill, is adopted and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 4371

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Kayla Hamilton Act”.

#### SEC. 2. PLACEMENT DETERMINATIONS FOR UNACCOMPANIED ALIEN CHILDREN.

Section 462(b)(2) of the Homeland Security Act of 2002 (6 U.S.C. 279(b)(2)) is amended to read as follows:

“(2) PLACEMENT DETERMINATIONS FOR UNACCOMPANIED ALIEN CHILDREN.—The Director of the Office of Refugee Resettlement shall make determinations under paragraph (1)(C) in accordance with section 235(c)(2) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(c)(2)).”.

#### SEC. 3. ENHANCING EFFORTS TO COMBAT THE TRAFFICKING OF CHILDREN.

Section 235(c) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(c)) is amended—

(1) in paragraph (2), to read as follows:

“(2) SAFE AND SECURE PLACEMENTS.—

“(A) INITIAL ACTIONS.—The Secretary of Health and Human Services may not make a placement determination under this paragraph for an unaccompanied alien child who is in Federal custody by reason of the immigration status of that child until the Secretary does the following:

“(i) CONSULTATIONS.—The Secretary of Health and Human Services shall consult with the Secretary of Homeland Security and the Attorney General (including appropriate juvenile justice officials)—

“(I) to ensure that the unaccompanied alien child will appear for all immigration, administrative, and judicial hearings or proceedings in which the child is involved;

“(II) to ensure that the unaccompanied alien child will be protected from smugglers, traffickers, gangs, and others who might seek to victimize or otherwise engage the child in criminal, harmful, or exploitative activity; and

“(III) to determine if the unaccompanied alien child—

“(aa) is a flight risk;

“(bb) is a danger to self, another individual, or the community; or

“(cc) has been arrested for, charged with, or convicted of any criminal offense in the United States or in his or her country of citizenship, nationality, or last habitual residence.

“(ii) SCREENING FOR GANG RELATED ACTIVITY; REQUIREMENT TO OBTAIN CRIMINAL RECORDS.—In the case of an unaccompanied alien child 12

years of age or older, the Secretary of Health and Human Services shall—

“(I) contact the consulate or embassy of the country of citizenship, nationality, or last habitual residence for the unaccompanied alien child to obtain any relevant arrest records, pending criminal charges, or conviction documents involving such child; and

“(II) conduct an examination of the unaccompanied alien child to determine if such child has any gang-related tattoos and other gang-related markings.

“(B) PLACEMENT GENERALLY.—

“(i) IN GENERAL.—Except as otherwise provided in this paragraph, an unaccompanied alien child who is in the custody of the Department of Health and Human Services shall be promptly placed in the least restrictive setting that is in the best interest of the child.

“(ii) PROHIBITION ON RELEASE ON OWN RECOGNIZANCE.—An unaccompanied alien child may not be released on his or her own recognizance.

“(C) PLACEMENT OF CERTAIN UNACCOMPANIED ALIEN CHILDREN IN SECURE FACILITIES.—In the case of an unaccompanied alien child 12 years of age or older, the unaccompanied alien child shall be placed in a secure facility for the duration of any immigration proceedings (and, if ordered removed, until such unaccompanied alien child is removed) if the unaccompanied alien child—

“(i) is a flight risk; or

“(ii) is a danger to self, other individuals, or the community, including if the unaccompanied alien child—

“(I) has a gang-related tattoo or any other gang-related marking;

“(II) has been convicted of a serious criminal offense (as defined in section 101(h) of the Immigration and Nationality Act (8 U.S.C. 1101(h))) in any State or territory of the United States or in the unaccompanied alien child's country of citizenship, nationality, or last habitual residence;

“(III) has been convicted of any aggravated felony (as defined in section 101(a)(43) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(43))); or

“(IV) has, for conduct in connection with gang affiliation or gang activity in any State or territory of the United States or in the unaccompanied alien child's country of citizenship, nationality, or last habitual residence—

“(aa) any arrest record;

“(bb) any pending criminal charge;

“(cc) any other pending proceeding; or

“(dd) any conviction.

“(D) PROHIBITIONS ON PLACEMENT OF UNACCOMPANIED ALIEN CHILDREN WITH CERTAIN INDIVIDUALS.—The Secretary of Health and Human Services shall not place an unaccompanied alien child in the custody of any individual who is one or more of the following:

“(i) SECURE AND STABLE SPONSORS.—An individual who is not a United States citizen or a lawful permanent resident of the United States.

“(ii) INDIVIDUALS WITH CRIMINAL HISTORY.—An individual who has been convicted of, or who resides in a household with an individual who has been convicted of—

“(I) a sex offense (as defined in section 111(5) of the Sex Offender Registration and Notification Act (34 U.S.C. 20911(5)));

“(II) a crime involving severe forms of trafficking in persons (as defined in section 103(11) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102(11)));

“(III) a crime of domestic violence (as defined in section 40002(a)(12) of the Violence Against Women Act of 1994 (34 U.S.C. 12291(a)(12)));

“(IV) a crime of child abuse and neglect (as defined in section 3 of the Child Abuse Prevention and Treatment Act (Public Law 93–247; 42 U.S.C. 5101 note));

“(V) murder, manslaughter, or an attempt to commit murder or manslaughter (as defined in sections 1111, 1112, and 1113 of title 18, United States Code);

“(VI) a crime involving the receipt, distribution, or possession of a visual depiction of a minor engaging in sexually explicit conduct (as described in section 2252 of title 18, United States Code);

“(VII) any crime for which an alien is required to be taken into custody pursuant to section 236(c)(1) of the Immigration and Nationality Act (8 U.S.C. 1226(c)(1));

“(VIII) any aggravated felony (as defined in section 101 of the Immigration and Nationality Act);

“(IX) any crime defined as a felony by the relevant jurisdiction (Federal, State, tribal, or local);

“(X) any crime punishable by more than 1 year of imprisonment; or

“(XI) any other criminal offense as designated by the Attorney General, in the Attorney General's sole and unreviewable discretion.”; and

(2) in paragraph (3)—

(A) in subparagraph (A), by striking “Subject to the requirements of subparagraph (B)” and inserting “Subject to the requirements of subparagraphs (B) and (D)”; and

(B) by inserting at the end the following:

“(D) INFORMATION ABOUT INDIVIDUALS WITH WHOM CHILDREN ARE PLACED.—Before placing a child with any individual, the Secretary of Health and Human Services shall provide to the Secretary of Homeland Security, with regard to the individual with whom the child will be placed and each adult resident of the individual's household, information on—

“(i) the name of the individual and each adult resident of the individual's household;

“(ii) the social security number or individual taxpayer identification number of the individual and each adult resident of the individual's household;

“(iii) the date of birth of the individual and of each adult resident of the individual's household;

“(iv) the physical location and address of the individual's residence where the child will be placed;

“(v) the immigration status of the individual and each adult resident of the individual's household;

“(vi) contact information for the individual and for each adult resident of the individual's household, including telephone numbers, email addresses, and work telephone numbers (if available); and

“(vii) the results of all background and criminal records checks conducted on the individual and each adult resident of the individual's household, which shall include at a minimum an investigation of the Dru Sjodin National Sex Offender Public Website, a public records background check, and a national criminal history background check based on fingerprints.”.

#### SEC. 4. CONSTRUCTION; SEVERABILITY.

Any provision of the this Act or an amendment made by this Act held to be invalid or unenforceable by its terms, or as applied to any person or circumstance, shall be construed so as to give it the maximum effect permitted by law, unless such holding shall be utterly invalid or unenforceable, in which event such provision shall be deemed severable from this Act and shall not affect the remainder of this Act, or the application of such provision to other persons not similarly situated or to other, dissimilar circumstances.

#### SEC. 5. EXEMPTION FROM PAPERWORK REDUCTION ACT AND THE ADMINISTRATIVE PROCEDURE ACT.

(a) PAPERWORK REDUCTION ACT.—Nothing in this Act may be construed to require the Secretary of Homeland Security, the Secretary of Health and Human Services, the Secretary of State, or the Attorney General to comply with the requirements of chapter 35 of title 44, United

*States Code (commonly referred to as the “Paperwork Reduction Act”) if such individuals determine that compliance would impede the immediate implementation of this Act or the amendments made by this Act.*

(b) **ADMINISTRATIVE PROCEDURE ACT.**—*Nothing in this Act may be construed to require the Secretary of Homeland Security, the Secretary of Health and Human Services, the Secretary of State, or the Attorney General to promulgate regulations under subchapter II of chapter 5 of title 5, United States Code (commonly referred to as the “Administrative Procedure Act”), if such individuals determine that compliance would impede the immediate implementation of this Act or the amendments made by this Act.*

**SEC. 6. EFFECTIVE DATE; APPLICABILITY.**

(a) **IN GENERAL.**—*Except as provided in subsection (b), this Act and the amendments made by this shall take effect on the date of the enactment of this Act.*

(b) **APPLICABILITY.**—*This Act and the amendments made by this Act shall apply to any release and custody determinations for an unaccompanied alien child (as defined in section 642(g)(2) of the Homeland Security Act of 2002), that are pending or occur on or after the date of the enactment of this Act, and all release determinations.*

The SPEAKER pro tempore. The bill, as amended, shall be debatable for 1 hour, equally divided and controlled by the chair and the ranking minority member of the Committee on the Judiciary or their respective designees.

The gentleman from South Carolina (Mr. FRY) and the gentlewoman from Washington (Ms. JAYAPAL) each will control 30 minutes.

The chair recognizes the gentleman from South Carolina.

**GENERAL LEAVE**

Mr. FRY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 4371.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. FRY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in strong support of this legislation, H.R. 4371, the Kayla Hamilton Act.

This legislation, at its core, is about common sense, in that if we had done a simple fix like this, Kayla would still be alive. It is something that I think my Democrat counterparts have lost track of during the last administration.

During the Judiciary Committee hearing, Kayla was referred to by one of my Democrat colleagues, who repulsively called her a “random dead person.”

Kayla was a beloved daughter. She loved life. She loved her family. She had a cat named “Oreo” that she cared for. She loved her God. She was a young woman whose future was stolen from her by someone who never should have been in this country to begin with it.

In 2022, during the Biden-Harris administration, Kayla’s killer illegally crossed the southwest border as an unaccompanied alien child, what they commonly refer to as a “UAC.” Walter

Javier Martinez, a 16-year-old Salvadoran national, admitted to authorities that his aunt paid a guide \$4,000 to smuggle him into the United States.

As is required by law with most UACs, Walter was then transferred to the custody of the Office of Refugee Resettlement at the Department of Health and Human Services. Instead of conducting a basic criminal or gang affiliation check, HHS instead focused on programming and wellness activities while missing clear signs of gang involvement.

Despite incomplete information and the sponsor’s lack of legal status in the country themselves, HHS approved the placement. Martinez ran away within weeks from his sponsor, becoming 1 of more than 150,000 UACs that the last administration lost track of.

According to his sponsor, months later, Walter left to: “do what he was doing in his home country—get in trouble on the streets and hang out with gang members.”

The Federal Government just needed to make a phone call to El Salvador. That is all that would have solved this. Instead, Kayla was brutally murdered because the government failed to vet Walter, a known MS-13 gang member with gang tattoos and a criminal history.

The Kayla Hamilton Act will help to ensure that another murder like Kayla’s does not happen. First, this bill requires HHS to find out for UACs who are over 12 years of age if there is a criminal history or gang affiliation or gang activity in the child’s home country.

Opponents falsely claim that the bill mandates strip searches. It simply allows checks for gang tattoos during routine medical intake. This stuff already happens. We are just asking that somebody ascertain whether that tattoo is related to a gang.

We also ask that they check their home country and see if they have a criminal background. We are not doing that. This is common sense.

Under this bill, gang-affiliated UACs would be housed in a secure facility designed to protect them from themselves and others. Opponents say this provision will lead to the indefinite detention of children.

□ 1440

In reality, UACs will be held only for the pendency of their immigration proceedings. That is it. When an alien is in a secure placement, their immigration proceedings generally are resolved expeditiously, within weeks or months.

Next, the bill bars illegal aliens from serving as sponsors. I think that is a key component to protect the children themselves. UACs should not be placed in the home of a person with no immigration permanence in this country, where their caregiver may be deported at any moment. That is not a stable environment for a child to live or thrive.

The Democrats say that this bill will cause family separation. This reform

ends the perverse incentive that encourages illegal alien parents to have their children smuggled across the border. That practice is happening right now. This has been happening for years, particularly under the last administration. We should not be complicit in the smuggling of children into this country. No more.

In the last administration, the UACs were placed with sponsors before required background checks were even finalized. Mr. Speaker, that is kind of the point, right? For a UAC, we are not going to place a child in somebody’s home where we don’t know who they are and don’t know their background. That is actually what was happening under the last administration. In some cases, criminal and sex offender checks were never initiated.

H.R. 4371 will end this insanity. By enshrining in law rigorous background check requirements, this will ensure UACs will not be placed with criminals or child abusers.

Mr. Speaker, I urge my colleagues to support this very important legislation to take a first step in reforming our very flawed UAC Program.

Mr. Speaker, I reserve the balance of my time.

Ms. JAYAPAL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong opposition to H.R. 4371.

Kayla Hamilton’s death was a senseless tragedy, and my heart goes out to her family and her loved ones. Every single one of us wants to do anything we can to make sure such a thing doesn’t happen again, and I understand the impulse to do just anything to try to prevent this. Responsible governance means working together to create sensible solutions, not weaponizing tragedies to push through political priorities.

Under the guise of “preventing child trafficking,” this bill would subject unaccompanied kids to abusive practices, like invasive bodily searches. It would make it harder to release them from detention, in spite of the protections that Congress established in the Trafficking Victims Protection Reauthorization Act of 2008. That was a bill that was passed by both Chambers by unanimous consent.

I wish that we were working on real reforms that are needed, especially as President Trump has set aside longstanding protections for unaccompanied children. Right now, these kids are spending more time in government custody than ever, amidst Trump’s campaign of mass kidnappings and disappearances.

An NIH study found that 75 to 80 percent of unaccompanied children are victims of human trafficking. Instead of treating them like victims of crime, this bill treats them like criminals.

The majority claims that there are no security procedures in place for unaccompanied children, but that is simply not true. Since 2019, CBP has taken the fingerprints of unaccompanied children who are 14 and over. This policy

that was started by the Trump administration was continued by the Biden administration. This means that at least 70 percent of the unaccompanied children who entered during the previous administration were subjected to fingerprinting and background checks.

Additionally, according to the Office of Refugee Resettlement, they have “procedures in place to obtain background information on the unaccompanied alien child from the referring Federal agency to assess whether the child is a danger to self or others.” They use this background information to determine where to place unaccompanied children.

Furthermore, under the Flores settlement agreement, which the Republicans have been trying over and over again to overturn, children are allowed to be held in detention if they are convicted or charged with a criminal offense other than petty offenses, were adjudicated as a delinquent or are in delinquency proceedings, engaged in violent or disruptive conduct or threats, escaped from another facility or otherwise are a flight risk, or other compelling circumstances.

It is disingenuous to pretend that unaccompanied children are all unvetted criminals, as this bill seems to do. Rather than fix some of the very real problems in the immigration system, this bill doubles down on cruelty, subjecting children to strip searches to look for “gang tattoos,” and it would force them into prison-like “secure facilities” if they are deemed to have a gang tattoo or be involved in a gang.

Unfortunately, we have seen what this administration considers to be “gang tattoos.” They sent Jerce Reyes Barrios, a professional soccer player who was tortured by the Maduro regime, to the notorious Salvadoran gulag, CECOT, saying his tattoo of the Real Madrid soccer logo meant that he was Tren de Aragua.

The administration claimed that Neri Jose Alvarado Borges, a baker and asylum seeker, was a member of Tren de Aragua, due to his tattoo honoring someone with autism. They disappeared him to CECOT, too—of course, without any due process.

It is also important to note that under current policy, adult immigrants detained by our government cannot be strip-searched without reasonable suspicion. This bill doesn’t have any similar guardrails. It actually would treat kids in custody worse than adults.

The bill also denies kids the ability to be placed with their parents if they are not U.S. citizens or green card holders. Preventing kids from being placed with their relatives will deny them the ability to go to loving homes and force them to languish in government custody for months. This will not help prevent child trafficking. It will help promote family separation.

The bill also forces HHS to tell DHS the immigration status of anyone who lives in the home of a kid’s sponsor, aiding President Trump’s efforts to

prioritize deporting moms and dads over murderers and deadly criminals.

Since President Trump’s inauguration, countless stories have emerged about ICE agents arresting parents and conducting intimidating “wellness checks” as a pretext for taking unaccompanied children and their guardians into custody. This bill is clearly aimed at supporting that project so that ICE can meet Stephen Miller’s cruel 3,000 immigration arrests per day target.

The Trump administration already treats unaccompanied children horribly, and this bill would only make things worse. I have personally gone and observed the docket at immigration court for kids. It is called the kids’ docket. What I saw would horrify most Americans: kids as young as 5, one clinging to a stuffed animal, trying to represent themselves in a complicated legal proceeding in a language that they struggle to understand.

Can you imagine a 5-year-old child who doesn’t speak English trying to represent themselves in court, being instructed by a judge that you, as a child, have the right to call witnesses and cross-examine the government’s witnesses, going up against a seasoned ICE trial attorney, a full-grown adult who has gone to law school, and trying to challenge what they say about you as a child?

It sounds like an absurd nightmare, but this is reality for too many children. Our system already does a great disservice to these kids, and this bill would just make it worse.

It is also laughable to claim that the Republican Party is focused on eradicating child trafficking. Under President Trump and Secretary Noem, the agents in Homeland Security Investigations, who are normally tasked with going after child traffickers, have been detailed to Enforcement and Removal Operations. Instead of working on targeted takedowns of dangerous criminals, they are patrolling the streets to go after random people they think might be undocumented because they look Latino or speak Spanish.

Thanks to the Republican Party, Homeland Security investigators worked approximately 33 percent fewer hours on child exploitation cases this year compared to last year.

If we really want to protect kids, we need to address their number one cause of death: not immigrants, but guns. This week, following the anniversary of the horrific shooting at Sandy Hook, we are mourning the deaths of innocents at two mass shooting events. Here in America, at Brown University, two people were murdered, and an entire campus was traumatized, including several students who had previously been in other school shootings.

Despite the President and FBI claiming otherwise, that shooter is still at large, yet I don’t see any effort in this body to take up the issue of sensible gun reforms. These mass shootings at schools across the country cannot be

normalized. Let’s finally address gun violence and get guns out of the hands of people who should not have them.

□ 1450

We also witnessed a horrific anti-Semitic mass shooting at Australia’s Bondi Beach that left 15 people dead, including a holocaust survivor who died saving his wife. The only reason the death toll wasn’t higher is because Australia banned semiautomatic weapons and shooters could only fire one bullet at a time.

Gun violence like this is very rare in Australia because it does have some of the strongest gun violence prevention laws in the world. Yet, still the government there is talking about taking further action to regulate guns and to take on anti-Semitism. That is what we should be doing if we care about protecting our kids.

I reserve the balance of my time.

Mr. FRY. Mr. Speaker, I yield myself such time as I may consume.

I prefer to keep the focus on the actual bill and not distracting arguments on a myriad of topics.

I think it is important to remember how we got to this place. We got to this place because of the failed policies of the Biden-Harris administration that imported millions of people into this country, that smugglers, paid in cash by parents in other countries, smuggled kids into our country.

Many of those kids, probably the vast majority of them, are innocent kids. But the Democrats in the House, specifically in the Judiciary Committee, seem to focus that that is the entire picture. That is not the entire picture.

Walter Javier Martinez was a gang member, and we didn’t know it. Our own Federal Government, that is tasked with protecting the lives of the citizens of this country, did not know because they never called his country of origin. If they had, instead of doing paper-mache or other things they were doing for this kid that came into the country, they would have found out from his country that, yes, he has a history of gang activity. Yes, if we had screened him for gang tattoos, we would have found that, yes, he has a gang tattoo.

All we are saying in this legislation is that we have a little bit of common sense in this country. At the end of the day, when somebody comes in, the vast majority of these kids will probably go to a sponsor and not be in some sort of secure facility. But for the kids who are over 12 and under 18 who have a history of criminal actions, who have a gang tattoo on their forehead or another part of their body, all we are saying is maybe we shouldn’t put those kids in our streets, right? Because every week seems to be another story, another Kayla Hamilton.

For the 3 years that I have been a part of this body, what I have seen is that the other side of the aisle buries their head in the sand to the real malaise that is going on in our streets

when these immigrants are causing a lot of these problems.

Why don't we get a little bit smarter about the things that we do in this country? Maybe we wouldn't have so many Kayla Hamiltons. I think that is important.

On the flip side of this equation, we know that the last administration lost kids, hundreds of thousands of kids. They did not know where they were. That is unconscionable to me that we were so busy—HHS, with Secretary Becerra, was so busy trying to set up his Ford assembly line that he was pushing people out into our communities who run away and who cause mayhem in our streets. That is alarming to me that our Federal Government would not be more responsible.

Can you imagine going to a State family court and saying to the Judge: Don't worry about the background checks; just send the kid out. Don't worry about the background checks on the sponsor. Just place them in this home, because at least he has got a roof over his head. We don't know anything about the people he is going to live with, but just place him up there. That State court judge would be thrown out of his position in a minute.

Somehow it is okay for the Federal Government to not do its job here. I think that is reckless. I think that is completely irresponsible, not only to the citizens who expect safety and security from their Federal Government but to the kids who are here.

Why would we give a child to a sponsor who we don't know anything about their background? We haven't done the sexual background checks; the sex registry checks. We haven't done the criminal background checks to see who these sponsors are. We are just going to let the kid go out there.

By doing nothing, that is exactly what the Democrats are arguing right now. I think that is irresponsible on so many levels.

Part of this is to protect future Kayla Hamiltons from happening in this country by unscrupulous and dangerous minors who are in this country. The other is to protect the kids themselves from sponsors who haven't been properly vetted.

If we care about the safety and well-being of children, which I hope that we all do, this is an easy lift, that our Federal Government would have a little bit more common sense, that we wouldn't set up a Ford assembly line and push people out into our communities and lose track of where they are.

In the case of Walter, think about this: He goes to his sponsor and within weeks he is gone. The Federal Government had no idea that he left, for months. The only way that they found out was after he killed Kayla Hamilton, months later.

The sponsor didn't say anything. Walter didn't turn up anywhere until he killed somebody. We didn't know about it? We didn't know about these things? I think that is reckless.

This bill is common sense. I think this country wants a little bit of common sense. I think they deserve a little bit of common sense. They want their Federal Government to work for them. They want to feel like when a child comes to this country, however he or she came to this country, that we would vet them before we place them in our communities and allow them to cause mayhem.

Mr. Speaker, I yield 4 minutes to the gentleman from California (Mr. MCCLINTOCK), my good friend.

Mr. MCCLINTOCK. Mr. Speaker, during the 4 years of the Democrats' open border nightmare, some half million unvetted, unaccompanied minors were trafficked into our country by our own government and left with poorly vetted or unvetted sponsors. The government lost track of 150,000 of them. This is a dark chapter in our history that must always be remembered and never be repeated.

So far, despite the vicious and sometimes violent opposition of the Democrats and their Antifa auxiliary, the Trump administration has now rescued 62,000 of these children who had fallen into the underworld of illegal sex and labor trafficking.

Many of these unaccompanied alien children weren't children at all. Some were gang members or adults pretending to be minors or both. Since the Biden administration's priority was to traffic as many as possible into our country, they didn't care to check. Biden's HHS Secretary compared the process to an assembly line, and he threatened to fire anyone who slowed it down to ask embarrassing questions like: Is this person with gang tattoos a member of a gang? Are they even a child?

Now, this bill is named after Kayla Hamilton. She paid the ultimate price for the Democrats' open borders. She was found in her own bedroom raped, tied up, and then strangled with a phone cord. Her murder was recorded on her boyfriend's voicemail when she desperately called him for help.

Kayla was just 20 years old. She was murdered by a 17-year-old MS-13 gang member who Biden's administration welcomed into our country. The police investigating her murder noticed that her assailant had gang tattoos. One call to El Salvadoran authorities confirmed he was a known MS-13 gang member, something that Federal officials never bothered to ask as they recklessly placed him in Kayla's neighborhood.

The Trump administration has stopped this madness, thank God, and ICE is now trying to locate every gang member that the Democrats allowed into our country in order to prevent future atrocities. ICE is being blocked every step of the way by the Democrats and their violent street mobs that they have incited and encouraged.

But what if another Democrat becomes President? Their leaders all backed these policies. That is why this

bill is so desperately needed—not for future presidents like Trump, pledged and determined to uphold our immigration laws, but for future Democrats who are pledged to undermine or ignore them.

If this bill had been law, Biden would have been powerless to unleash these horrors upon our people. This bill requires every unaccompanied alien child to be fully vetted and detained if they are suspected to be criminals or gang members. It also requires every sponsor to be similarly vetted, to prevent the rampant child abuse and trafficking that was aided and abetted by the Biden administration with the support of the Democrats in this Congress.

□ 1500

This must never happen again. This bill assures that whoever is President, it cannot happen again.

Ms. JAYAPAL. Mr. Speaker, let me just remind the majority that the Office of Refugee Resettlement subjects all potential sponsors of unaccompanied kids to an assessment. That assessment includes numerous factors, including the sponsor's relationship to the child, the sponsor's motivation for seeking to care for the child, and any special vulnerabilities that the child has.

Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. RIVAS).

Ms. RIVAS. Mr. Speaker, I thank the ranking member for yielding.

Mr. Speaker, the bill we are debating today is a bad bill. It is a bad bill that will harm vulnerable children, do nothing to fix our immigration system, and embolden Trump to continue wreaking havoc in our communities.

Republicans are exploiting a tragedy to push forth a bill that undermines and strips away critical rights and protections for vulnerable children.

H.R. 4371 treats immigrant children like criminals and prevents unaccompanied minors from being reunited with their families. It even subjects children as young as 12 to strip searches. These are kids who are escaping unspeakable horrors and traumas in search for a better life in our country. We should be helping them with food, shelter, and resources to thrive, not subjecting them to more trauma, cruelty, and abuse.

As we have seen, this administration cannot be trusted to care for our most vulnerable. Yet Republicans want to grant the administration more power to continue enacting its cruelty anti-immigrant agenda across the country.

Mr. Speaker, H.R. 4371 goes against our core values as a country, and I urge all my colleagues to vote "no."

Mr. FRY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, just briefly, in response, I appreciate the comments, but I wish that the gentlewoman from California would have been in the Judiciary Committee hearing to learn what the law actually says. It is something that she

has completely omitted from her remarks.

She said that kids are subject to strip searches under this bill. Mr. Speaker, we already do medical evaluations of children when they come into this country. That is already in practice. All we are saying is that when there is a tattoo on your shoulder or on your forehead that is a gang tattoo, then maybe we shouldn't send you into the streets.

They said that this bill is anti-children somehow, that it keeps children from being separated from their families. If there is somebody who is smuggled across our border who has a gang affiliation or prior gang convictions or charges in their country of origin, then maybe we shouldn't unite them with their family in this country when they are a danger to themselves and to the rest of society.

I appreciate the comments, but I think a little bit of homework and due diligence would have made those remarks a lot more effective.

I think it was said that the sponsors already receive background checks. Yes, presumably, they do. However, in these cases what we saw during the Biden-Harris administration was while the background checks were ongoing and not yet complete, we were sending kids to houses with sponsors without background checks.

That is the rub. That is the problem. That is what this bill will fix so that we no longer have the lawlessness that we saw in the last 4 years.

Mr. Speaker, I reserve the balance of my time.

Ms. JAYAPAL. Mr. Speaker, I yield 2 minutes to the distinguished gentlewoman from Illinois (Mrs. RAMIREZ).

Mrs. RAMIREZ. Mr. Speaker, we are less than 10 days away from Christmas, a day in which many celebrate the birth of Jesus, a refugee.

In regard to the hypocrisy of those who would quote Scripture asserting the preciousness of children while they pursue new, cruel punishments for child refugees, I find that not just hypocritical but despicable.

This administration and the Republicans have used their power not to protect children but, instead, to strip unaccompanied children who come to this country fleeing danger, looking for safety or protection. Now with H.R. 4371, Republicans are treating unaccompanied immigrant children like criminals. They are putting them in prison. They are subjecting them to invasive physical exams, and they are keeping them away from their families.

It is not surprising, since profiling, criminalizing, and physically assaulting Black, Brown, and indigenous children is a shameful legacy written into the DNA of this country, and subjecting children to strip searches is an unsurprising tactic of the party that fought tooth and nail to protect pedophiles.

However, none of that predictableness makes it any less despicable.

Mr. Speaker, do you know someone else who is also willing to sacrifice his humanity to attempt to secure his security? Do you know who?

It is Herod.

I am pretty sure he is the villain in the Christmas story my colleagues claim is so sacred.

Mr. Speaker, we have to choose to believe that another world is possible. We must use every tool at our disposal to protect our vulnerable children and build a world that affirms our shared humanity and ensures that people have safety.

This bill criminalizes children and creates dangerous precedent that only makes them more vulnerable.

Mr. Speaker, I urge my colleagues to vote "no" on this bill, and I urge them to join me in championing legislation like the Family Reunification Act and the Upholding Protections for Unaccompanied Children Act.

Mr. FRY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I have been sitting here stunned and astonished for 1 minute that just 1 second ago I talked about what the law was, and despite that, the gentlewoman from Illinois comes forward to, again, repeat the same old, tired hackneyed lies that they have been perpetuating for months about this bill.

If they want to complain about these strip searches that they say occur or are occurring under this bill, maybe they should go talk to the Member of their conference who wrote the original law that processed this: the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008. That was a ZOE LOFGREN bill.

They want to complain about the medical evaluations that happen right now under a bill that they wrote, and they want to blame Republicans.

This kind of reminds me of: The economy is the Republicans' fault, but they are the ones who caused the inflation crisis under Joe Biden. The border is secure, but we saw millions of people illegally come into this country causing mayhem. Housing is too expensive, but they have regulated all businesses in this country into the ground in the last administration.

These are things that they have caused.

They want to talk about how we can perfect the medical evaluations of minors who come into this country. Fine, we can talk about that. However, I think there has to be a little bit of ownership for a minute that they are the ones who created the dang law, not us.

All we are saying is that when you go through that medical evaluation, Mr. Speaker, when you come into this country and you are screened, that we just look for gang tattoos.

The hyperbole is, quite frankly, disturbing and absurd. There was one member of the Democratic Judiciary Committee who said that kids were going to have a colonoscopy because of

this. The last time I checked, Mr. Speaker, you can't get a tattoo on your colon. That is not how this works. We are just saying that when you go through this medical evaluation, Mr. Speaker, that somebody checks and says that they have a tattoo. They have a tattoo on their shoulder, on their forehead, on their neck, on their ear, below their eye, I don't know.

When we identify that and it looks like a gang tattoo, then maybe we shouldn't release that person into our streets. I think a little bit of intellectual honesty would go a long way. If they want to talk about medical evaluations and whether we should do them or not, good, then write a bill that amends the bill that they already wrote that became law in 2008.

Mr. Speaker, I reserve the balance of my time.

Ms. JAYAPAL. Mr. Speaker, let me just remind my colleagues on the other side that a medical examination is different from subjecting someone to a bodily examination looking for tattoos. A medical examination is also very different from saying: I see a tattoo on the forehead or some visible part of the neck. We don't allow adults to be strip-searched. We should not allow children to be strip-searched.

Mr. Speaker, I yield 3 minutes to the very distinguished gentlewoman from Florida (Ms. WASSERMAN SCHULTZ).

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I thank the gentlewoman for yielding.

Mr. Speaker, I rise in strong opposition to this atrocious bill which codifies Trump's family separation policy, throws immigrant children in prisons indefinitely, and subjects them to traumatic, invasive strip searches.

Despite the gentleman from South Carolina only being here for 5 minutes, he does not remember or is aware of the implementation of the family separation policy in the first Trump term that exposes them to traumatic, invasive strip searches.

Trump promised to get rid of the worst of the worst. Instead, he is imprisoning innocent children. He is deporting Venezuelans who have lawful status through TPS to a criminal regime that they fled out of fear whose leader, Trump, has declared a terrorist leader.

You just cannot make this stuff up, Mr. Speaker.

□ 1510

The point of this bill is to dehumanize and normalize increasingly cruel and unusual treatment and give even more power to the very officials who are already abusing it.

The gentleman from South Carolina refers to affected individuals in this bill as UACs. That is a way to dehumanize and avoid using the appropriate term, children.

If this bill becomes law, it would cause tens of thousands of children as young as 12 to be ripped from their families by masked men, whisked away

in unmarked cars, and taken to hard-sided facilities. Children as young as 12 could be strip-searched with no parent, attorney, or doctor there to protect their rights.

Afterward, they could be jailed indefinitely, with no trial, no due process, and no oversight. It is not judges in charge. It is Homeland Security Secretary Noem deciding their fate.

Expending law enforcement resources on imprisoning thousands of children instead of targeting criminals won't make us safer. Refusing to release children to loved ones, depriving them of legal support, medical care, and education, none of that better protects any of us.

Americans deserve secure borders, a just system that targets violent criminals, and an immigration process that protects innocent children. Instead, Republicans task police with hunting down law-abiding immigrants with no criminal record. All this bill does is add children to their list of targets.

Kayla Hamilton's murder was absolutely horrific. As a mother myself, I can't imagine what her family endured. However, no mom should have her innocent child taken away, and this bill does just that. Kayla's murderer was arrested, convicted, and sentenced. He will spend his entire life in prison, and rightfully so, but not one child who will be ripped away from their mothers' arms by this bill was responsible for Kayla's death.

In America, we are all presumed innocent until proven guilty. That applies especially to children.

I hope my colleagues will join me in rejecting this vengeful family separation bill and stop punishing children for the actions of violent criminals.

Mr. FRY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the gentlewoman said that we were ripping children away from their mother's arms. Let me remind the gentlewoman from Florida that these are kids who are by themselves when they come to this country. However their parents decide that they should send them here. They are here without their parents. That is why they are a UAC. That is the legal term, an unaccompanied alien child. They do not have their parents present.

Again, the gentlewoman thinks that we are criminalizing kids. No, we are not. We are just saying that we should check the backgrounds of these children when they come in because not every child is this innocent, sweet child when they come in here. Most of them probably are, but not every one of them is. Sometimes, they have very troubled home lives and troubled communities, and for whatever reason, they are in our country.

Let's not repeat the mistakes of their country of origin and just let them out onto our streets. In the case of Walter Javier Martinez, he didn't stay with his sponsor but for a couple of weeks. Then, he was out on the streets by himself again, doing the exact same thing he did in his country of origin.

Let's get the facts a little bit straight when we talk about this.

Mr. Speaker, I reserve the balance of my time.

Ms. JAYAPAL. Mr. Speaker, I yield 4 minutes to the distinguished gentlewoman from New Mexico (Ms. STANSBURY).

Ms. STANSBURY. Mr. Speaker, I rise today in opposition to H.R. 4371, or what the GOP is calling today the Kayla Hamilton Act.

Let me begin by saying what should be clear to every Member of this body: The murder of Kayla Hamilton is a horrific and truly heartbreaking tragedy, and no family should ever have to endure such a loss. Nothing that we can do or say here will diminish the pain of those who loved her.

Mr. Speaker, our responsibility as lawmakers in this Chamber is not only to grieve and stand with our communities but also to legislate wisely and honestly, and not to allow the tragedy of one family to become the tool for potential violence against other children.

While the majority claims this legislation is about protecting children, this bill does not do that. In fact, it establishes a situation where children could be further incarcerated, abused, and traumatized by the hands of the United States Government, detained in immigration enforcement.

If passed, this bill could not only require placing unaccompanied children in detention centers with little to no due process, in the exact kind of private prisons where we know horrific abuses are happening under this administration, or perhaps even, yes, the kinds of kids in cages that happened in the first Trump administration, which we will never forget.

Not only will this bill not make it safer for children, but it could prohibit immigrant children from being reunified with their families here in the United States and would require government officials to conduct potentially invasive examinations of children as young as 12 years old.

One would think that we could all agree that that is not okay, especially in the institutional setting of jails, where we know already that physical abuses are happening.

This is a disgusting overreach of government authority. No government official should be allowed—more or less mandated under the law—to examine children's bodies in ways that could subject them to abuse, whether that is in this bill in government detention facilities, or whether the other bills that you all have been trying to pass this year that would possibly make it possible for children's bodies to be subjected to invasive examinations, including young girls and trans kids. None of this is okay.

I have to say that if my colleagues are so truly concerned about child trafficking and the abuse of young women, then I say to you, tomorrow is the deadline for the Epstein Files Trans-

parency Act, which requires that the President, who threatened many of you not to vote for that bill, is required to release the files that show why the U.S. Government never prosecuted one of the most notorious sex traffickers of all time. Why are we not focused on that?

If the House rules permitted, I would have offered a motion now to send this bill back to committee because this bill is dangerous for our children. My motion to recommit would also strike provisions that would allow Border Patrol and HHS to conduct physical examinations of children in detention centers.

Mr. Speaker, I ask for unanimous consent to include in the RECORD the text of this amendment, and I hope my colleagues across the aisle will have the moral compass to protect our children.

The SPEAKER pro tempore (Mr. DESJARLAIS). Is there objection to the request of the gentlewoman from New Mexico?

There was no objection.

Mr. FRY. Mr. Speaker, I reserve the balance of my time.

Ms. JAYAPAL. Mr. Speaker, I yield myself the balance of my time to close.

What happened to Kayla Hamilton was an unspeakable tragedy. Let me say that again: What happened to Kayla Hamilton was an unspeakable tragedy.

What we need to do in this body is make sure that our response to her murder is not to treat all unaccompanied children, the majority of whom are victims of crimes themselves, as criminals.

We can address the problems in the immigration system—and I agree with my colleagues across the aisle that there are real problems—without being vindictive, without being cruel, and without subjecting children to worse treatment than adults. We can solve those problems because that is who we are talking about in this bill—kids, children.

There have been numerous assertions on the other side, but let us be clear about what this bill does. It does allow for the strip-searching—it mandates the strip-searching of children so that the Trump administration can trump up accusations of gang association. We should not be putting kids in prison because dictatorial rulers like Putin or Maduro claim that those people are criminals.

We shouldn't be turning the sponsorship of unaccompanied children into a pipeline toward deportation. That is just plain wrong.

The tides are shifting on immigration. Sixty percent of Americans disapprove of how the administration is conducting immigration enforcement. Only 38 percent think that Donald Trump is doing a good job.

Americans across the political spectrum agree that more cruelty, more masked men kidnapping and disappearing people on the streets, more



locking up of kids, more depriving people of due process, and strip searches for young children are not the answer. We would be wise to listen to the American people.

Mr. Speaker, I yield back the balance of my time.

□ 1520

Mr. FRY. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, today, we have an opportunity to take seriously the deficiencies in our UAC Program that have been exposed in the last 4 years of the Biden-Harris administration. Kids who are gang members in their country of origin are allowed to go to a sponsor.

Instead of doing background checks on the kids or checking for tattoos, we give them papier-mache projects and ask them to identify their gender if they feel comfortable talking about it. These are things that actually happened with Walter Javier Martinez.

Rather than take that money that the American people have given to the U.S. Treasury to spend for their safety, we are doing these ridiculous things instead of actually vetting a gang member from El Salvador.

Why don't we do it a little bit better in this country? Why can't we be a little bit smarter in this country?

Mr. Speaker, I will concede very easily that most kids are probably innocent. I have no problem with that, but for the ones that aren't, why are we putting them on our streets? Why are we not conducting adequate background checks on their pasts?

It took, in this case, a local cop in Maryland calling his country of origin to find out, after Kayla was murdered, that he had a criminal past. Why wouldn't we do that on the front end before we have a Kayla Hamilton?

On the flip side of this, I think this is just common sense, that if the law says that sponsors should undergo background checks before we release a kid, sure. Under the last administration, they were too busy pushing kids to sponsors at a record pace that they never even allowed those background checks of the sponsors to come back. They pushed kids into homes before we even knew what the sponsor was like, who they were, or what kind of background they had.

Mr. Speaker, that is reckless endangerment of a child. If we have, all of a sudden, the care and custody of an unaccompanied alien child, maybe we should make sure that the person we send them to isn't a criminal themselves, isn't engaged in sexual exploitation, and isn't engaged in human trafficking.

That is common sense, but what I have heard is that we are going to keep repeating the same tired lies, the same tired fabrications of what actually is going on in this country. Let's be a little bit smarter about the way that we do business.

We can protect kids with this bill. We can also protect our citizens to make

sure that Kayla Hamiltons don't happen in every community in our country.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 951, the previous question is ordered on the bill, as amended.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

#### MOTION TO RECOMMIT

Ms. STANSBURY. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Ms. Stansbury of New Mexico moves to recommit the bill H.R. 4371 to the Committee on the Judiciary.

The material previously referred to by Ms. STANSBURY is as follows:

Ms. Stansbury moves to recommit the bill H.R. 4371 to the Committee on the Judiciary with instructions to report the same back to the House forthwith, with the following amendment:

Page 5, line 15, strike "shall—".

Page 5, line 16, strike "(i) contact the" and insert "shall contact the".

Page 5, line 22, strike "child; and" and insert "child."

Page 5, strike line 23 and all that follows through line 2 on page 6.

The SPEAKER pro tempore. Pursuant to clause 2(b) of rule XIX, the previous question is ordered on the motion to recommit.

The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the yeas appeared to have it.

Ms. STANSBURY. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

#### POWER PLANT RELIABILITY ACT OF 2025

Mr. LATTA. Mr. Speaker, Pursuant to House Resolution 951, I call up the bill (H.R. 3632) to amend the Federal Power Act to adjust the requirements for orders, rules, and regulations relating to furnishing adequate service, to require owners or operators of generating facilities to provide notice of planned retirements of certain electric generating units, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 951, the bill is considered read.

The text of the bill is as follows:

H.R. 3632

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Power Plant Reliability Act of 2025".

#### SEC. 2. FURNISHING OF ADEQUATE SERVICE; ADVANCE NOTICE OF PLANNED RETIREMENTS.

Section 207 of the Federal Power Act (16 U.S.C. 824f) is amended to read as follows:

#### "SEC. 207. FURNISHING OF ADEQUATE SERVICE; ADVANCE NOTICE OF PLANNED RETIREMENTS.

"(a) FURNISHING OF ADEQUATE SERVICE.—

"(1) IN GENERAL.—Whenever the Commission, upon complaint of a State commission or a Transmission Organization, after notice to each State commission and public utility affected, and after opportunity for hearing within 90 days of receipt of such complaint, finds that any interstate service of any public utility is inadequate or insufficient, or is likely to become inadequate or insufficient within 5 years of receiving such complaint, the Commission shall determine the proper, adequate, or sufficient service to be furnished, and shall fix the same by issuing an order, rule, or regulation.

"(2) REQUIREMENTS.—The Commission, in an order, rule, or regulation issued under paragraph (1)—

"(A) may not—

"(i) compel the enlargement of generating facilities; or

"(ii) compel the public utility to sell or exchange electric energy when to do so would impair its ability to render proper, adequate, or sufficient service to its customers;

"(B) may require—

"(i) continuing the operation of an electric generating unit; and

"(ii) any affected State commission, Transmission Organization, or public utility to develop and implement a long-term plan for the planning, construction, and operation of interstate transmission facilities that may be necessary for the public utility to provide adequate and sufficient interstate service; and

"(C) shall determine—

"(i) any rate or charge necessary to provide compensation for the additional costs of the proper, adequate, or sufficient service to be furnished, including compensation to an owner or operator of an electric generating unit that is required to continue to operate under such order, rule, or regulation; and

"(ii) the cost allocation of any rate or charge.

"(3) TERM LENGTH.—Except as provided in paragraph (4), an order, rule, or regulation issued under paragraph (1) shall terminate on the date that the Commission determines appropriate, which may not be later than 5 years after the date on which the Commission issues such order, rule, or regulation.

"(4) EXTENSION.—

"(A) REQUEST FOR EXTENSION.—Not earlier than the date that is 180 days prior to the date on which an order, rule, or regulation terminates, as determined under paragraph (3), and not later than 60 days prior to such termination date, any affected State commission, Transmission Organization, or public utility may submit to the Commission a request to extend such order, rule, or regulation.

"(B) DEADLINE.—With respect to a request submitted under subparagraph (A), the Commission shall—

"(i) not later than 14 days after the date on which the Commission receives the request, notify each affected State commission, Transmission Organization, and public utility of the request;

"(ii) provide an opportunity for a hearing on the request before accepting or denying the request under clause (iii); and